

Quid Novi

McGill University, Faculty of Law
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Don't forget to vote
this Wednesday and
Thursday in the
Elections!



AN UNUSUALLY COLD MARCH FINALLY
CONVINCED PHIL TO CONSULT A LAWYER



"SO NOW I'M BEING SUED
FOR NEGLIGENT
MISREPRESENTATION"

In This Issue...

- | | |
|---|--------------------------------|
| 3. Editor's Page | 10. President's |
| 3. Beauty contest winners | Perspective |
| 4. Sexiest Skit Nite | 11. Voice your Opinion |
| 4. Looking beyond mere song and dance | 12. Election |
| 6. Dirty Rotten Linen | 17. Voices of Aboriginal Women |
| 7. Seeking Sanctuary | 18. Blow |
| 8. A look at what's going on | 19. Real Cost of Education |
| 9. Les Aventures du Capitaine Corporate America | 20. Simple Life or Real World? |
| | 21. Referendum Questions |

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Week in Review

License Plate

In Ipswich, eastern England, Heidi Brown found her scooter blown up by the army. She was told she could park her new scooter outside the vehicle registration office while she waited to get license plates but local business people raised concerns that it could be a bomb. Since they weren't able to locate the owner (due to the lack of license plate), they ended up blowing it up in a controlled explosion.

Land of the Rising Sun +1 hour

Japanese lawmakers held a rally and made a push for daylight savings time. The resulting extra daylight and cooler mornings will yield direct crude oil savings of some 930,000 kiloliters and 400,000 tons of carbon dioxide emissions a year, according to an NGO which took part in the rally. In addition to the energy saved, the later nightfall would give people more time to spend with the family and may even lead to more consumption.

Can you find me a date?

Wright sent an email to her local police force asking about "eligible bachelors within Hampshire constabulary between the ages of 35 and 49 and details of their email addresses, salary details and pension values," by using the freedom of information laws. Without giving personal information, they were prepared to tell her, however, that the Hampshire force had 266 eligible bachelors, of whom 201 were in uniform.

Editor's Page: Joys of Voting NO!

by Aram Ryu, Co-Editor-in-Chief (Law III)

The basic idea of a "responsible government" is quite simple: the state must represent the people and the politicians in charge must be held accountable to the people (think of it as power to the people). Of course, with the fairly recent sponsorship scandal on the federal level, and the Charest government's decision to convert \$100 millions in bursaries to student loans that infuriated countless universities and CEGEP students in this province may jeopardize people's beliefs that governments represent people's interests. However, the issue of a responsible government hits closer to home for McGill law students.

Last week, LSA has proposed constitutional amendments to be voted on this Wednesday and Thursday: four questions designed to change how law students are governed for the next year. If I may quote the great

illustrious P.Diddy (or whatever variation thereof), we must vote no (but you don't need to die even if you vote yes).

Many of the proposed amendments are grounded in logic and reason, and they may very well benefit current and future law students in our Faculty. However, the decision to remove the requirement of written notification for any changes to the by-laws governing the LSA, not giving any valid justification for this amendment and sneaking it inside a referendum on numerous issues are clearly against the best interest of the law students. What we need instead is more transparency and accountability: giving 10 day notice to law students is simply a courtesy that cannot be eliminated. By-laws are what keep the clubs and even the Quid functioning: it is indeed great to receive funding through the LSA but that does not give them the

right to unilaterally modify the by-laws.

Skit Nite has come and gone, and the major event left to attend this term is the Carbolic Smoke Ball (at least for the graduating class). I have to admit that, unlike previous years when some of the LSA execs have abused their powers and betrayed the students, this year's Law Students Association has functioned smoothly and did not make any rash decisions that would ultimately penalize the students. However, we must act now and make sure that students wouldn't look back and judge this year's execs in a negative light: Vote NO to the referendum questions for a more transparent and accountable LSA.

Finally, next week is the last issue of the Quid for the term. Don't forget to submit retrospectives on the past year. ■

Beauty Give-a-Way Winners!

Thanks to all of the participants who sent in their e-mails. The following 2 students sent in the correct answers with their full names and year of study:

The gent's contest winner is Kristofer Michaud (Law III) CONGRATULATIONS!

His answers were:

1. Which product corresponds to the description: "Environmental defense for your face. Moisture attractants work overtime to keep your skin strong. An effective moisturizer with no oily film." Answer: Zirh Protect
2. Which TV show gave Zirh products five stars? Answer: Queer Eye for the Straight Guy
3. Name the famous athlete who stocks up on Zirh products. Answer: Mark McGwire

The ladies' contest winner is Mary (Ellen) Tompros (Law III) CONGRATULATIONS!

Her answers were:

1. The product that corresponds to the following description, "This super-hydrating nighttime moisturizer restores and repairs stressed skin's Basement Membrane with Shiseido's exclusive ingredient Phyto-Vitalizing Factor." Answer: The Skincare Night Essential Moisturizer
2. Who is the make-up artist responsible for Shiseido's make-up line? Answer: Tom Pécheux
3. Which product line states, "Think Ahead. Act Now. Defy aging before it begins"? Answer: The Skincare

To pick up your prizes, please send me an e-mail (mpicante@yahoo.com).

Sexist Skit Nite

by Daniela Volochniouk (Law I)

Bon, depuis le temps que je voulais écrire pour le Quid, et avais même entamé quelques petits commentaires, mais le temps me manquait.

The Skit Nite was a well-coordinated event. Very funny! I enjoyed it. Good stuff, all of it. (Except for people who were smoking in the room, but that's beside the point.)

At first, I was just watching the show. Mais au fur et à mesure que le spectacle progressait, the big picture began unfolding before my eyes. And it was not a flattering one. I mean, qu'est-ce que des spectateurs non-avertis retiendraient en sortant de la salle? They'd remember that female law students at McGill can:

-dance

-sing

And that's about it.

Granted, they do those things really, REALLY well, and I mean it. Those dance routines aren't easy. Singing takes talent too. So, there is undoubtedly a lot of talent here, and it must have taken practice and hard work. I can't praise it enough. J'ai énormément de respect pour le talent, and I respect hard work even more.

But! The big picture!

Stereotypes, all over the place. Women as puppets, "sporty" girls, "dangerous temptresses" (who dare to call themselves feminists), what else, oh yes,

the pièce de résistance, the "baladi" dancers. All very, very talented, don't get me wrong! Any one of these dance routines would have been great, IF they were counterbalanced by an equal number of female reporters and female LSA president candidates (don't even get me started on the topic of the Fern being portrayed as a "she"). Also, I would recommend anchorwomen who are not the object of sexual fantasies of their colleagues, VP socials who don't overplay their "happy and enthusiastic" roles (no offense), female lawyers in elf costumes who don't just sit in the background, court proceedings that don't feature a man in the role of the judge and a woman in the role of a stenographer, etc., etc., etc.

Some would complain that they'd run out of jokes if they were to go down that road. Well, if their jokes are not funny, they should run out of them, so to speak. Imagine someone complaining that no one thinks their racist jokes are funny.

To be fair, there were some performances that could qualify as a counterweight to the stereotypical dancing, to some small degree:

-the talented interpreter of the song "Fighter." At least the song is about being stronger.

-the impersonator of Professor Macdonald. Excellent!

-Professor Jukier playing poker. A tad stereotypical, but hell, O.K., that was the point of the sketch.

-the guy making a few moves with the

veil among the "baladi" dancers at the end. Nice touch. It's not nearly enough, but it's a start.

(Of course, such an initiative could be qualified as "hidden sexism", but I am really trying to see the bright side here and keep cynicism in check.)

Now that I have wasted a quarter of an hour writing this, I don't even feel like sending it. What's the point? Nothing seems to change much. Or at least, not fast enough, damn it! Women are still rolling around on the floor in cocktail dresses, claiming it's empowering. Or people say it's just entertainment. Sure it is! Only for whom.

Peu importe. Maybe I'm the anachronism here. Like I said, nothing against dancing or entertainment. But everything has to be balanced. This is future lawyers, extremely smart and talented young professionals we're talking about. Are you going to tell me that a couple of witty female reporters couldn't have been included in those sketches? (Oh, I remember now, there was one, and she appeared there for about 10 seconds.)

Of course, it's just Skit Nite. Harmless fun. (That's what they used to say about smoking, remember ...)

It was a good show. But it is necessary to be aware of these things and their implications. Awareness is the first step towards finding a cure. And unfortunately, I can't help but notice that the disease is still with us today. ■

Looking Beyond 'Mere' Song and Dance

by Eleasha Sabourin (Law III, Skit Nite Co-Chair)

This letter is a response to Daniela Volochniouk's observations about Skit Nite. I appreciate her comments and in fact anticipated most of them. In fact, I thought most of them myself over the course of the show. But I nonetheless feel the need to critically

respond to several of Daniela's complaints.

This year, I attempted to make a conscious effort to consider the feminist voice in the thematic skits. I too was disappointed that we did not have a

female candidate, but it was not for lack of sensitivity. It just so happened that we had Ben in mind when the candidate of Prescott was created. For better or for worse, the arrogant, rich, freedom-toutin' Texan caricature is currently exemplified by men, or rather one man who shall

remain nameless. We wanted to incorporate the dean as a candidate as it fit well into the plot, and he also is a man. Whether this frustrates feminists within the faculty is a matter beyond Skit Nite, and one which they may want to take up in subsequent Quid articles. As for the student candidate, this, admittedly, could have been a female. We had the type of person we wanted in mind before we selected the person. Our writing team sat around and tried to think of a person who fit the role. The first name we came up with happened to be Kyle's. We felt Kyle was a good choice since he is a first year student and we were concerned with having representatives from the different years. Finally, Fern was just a fun 'character' to make fun of the political system. It wouldn't have been nearly as ridiculous if an actual female candidate had been the 'surprise' candidate who maniacally runs the LSA. In fact, why would that be funny or surprising at all? And as for the criticism that Fern was a 'she,' I'd like to understand this point a bit better. There are, after all, only two sexes, and we had to pick one. Given that the other three candidates were men, we thought that Fern should be female. That was really all there was to it. As for the reporters, three out of the four were women (whom I consider quite well-spoken, intelligent and funny), if one includes the 'preview' video shown at the Feb. 10 Coffeehouse. Even at Skit Nite itself, three of the four news segments were hosted by women. In respect of Chet Chesterson (the anchorman), his obvious chauvinistic behaviour was what made his character humorous ... not because sexism is funny, but because it is so clearly ridiculous and inappropriate. The audience did not laugh with him, but rather at him.

I agree with the observation that women did a lot of singing and dancing in this year's Skit Nite. But stating that the show portrayed women as only being able to sing and dance is unfair. This was, after all, a Faculty of Law event. We all know what the women AND men on stage are capable of intellectually. They

are all brilliant, well-spoken individuals. But this is not a mooted event, nor is it a Master's thesis or law school exam. Skit Nite offers the possibility for students and professors to show off their unknown, artistic talents. Men and women were free to submit whatever genre of skit appealed to them. If the particular group of men in the faculty did not have the talent or ambition to choreograph dance numbers, Skit Nite cannot be blamed. As for the dances portraying women in a stereotypical manner, I felt all of the dance numbers did a wonderful job of displaying these beautiful and strong women's expressive talents. I have no problem with the fact that women chose to express themselves through song and dance rather than through sketch comedy in the majority of the skits. Dance and song are incredibly demanding and expressive art forms. Each of the dancers put many hours into preparing their dance or dances. As for Daniela's reaction to the Baladi dancers, I have a particular problem with this comment. As a feminist and someone acutely aware of body image issues within the faculty, I loved the Baladi dance. I loved it because this style of dance is very sensual and highlights the attractiveness of all types of bodies, something that you don't necessarily appreciate in other forms of dance. To suggest that any of the dances displayed women as subjects of the male fantasy completely misses the point. Amelie and Prunelle both did a terrific job of co-coordinating dances that used students (though they happened to all be women, men could also have been involved) to express the election theme. "Political Puppetry" wasn't about women as puppets, but rather was about the way many politicians are mere fronts for the interest groups that fund them (hence dancing to the song "Money"). It was about the exploitation of democracy at the hands of capitalism. "Confrontation" was about the squaring off of political opponents. "Stop Pressuring Me" was about finding ones' own voice amid pressures to conform. In my opinion, these dances were empowering to women as political, social and artistic agents.

All in all, I think it needs to be remembered that the show is largely a self-selected process. If men CHOSE not to put the work into choreographing and rehearsing a dance over and over and women CHOSE not to submit skits which display talents other than singing, dancing and acting (what other talents would they show off at Skit Nite???), then that's just the way it went this year. I would like to point out, however, that women actually displayed a heck of a lot of talents which Daniela may not have picked up on. For example, over half of the band (including the bass player) was made up of women. Women also did an amazing job of running and coordinating the silent auction, stage managing and assistant stage managing the show, leading half of the fundraising team, designing the promotional materials and managing the ticket sales, and not to toot my own horn, but being co-chair of one of the most entertaining Skit Nites ever! Skit Nite displayed a whole range of talents possessed by women and men in the faculty. We know the men and women of the faculty are smart, but my questions on the eve of Skit Nite are, "Can they sing? Can they dance? What will people be able to contribute to the show, either technically or artistically? Will the show be entertaining?"

This year, I was incredibly proud of everyone involved in the show, no matter what their sex. And while I agree that there are problems with stereotyping, I would ask that more concerned women and men take steps to submit skits they consider entertaining and gender-sensitive next year. I wholeheartedly look forward to it!

Eleasha Sabourin
Feminist and Skit Nite Co-Chair

Dirty Rotten Linen

by Leila Jawando (Law II)

I have often been called a "people person". It's a bit of a strange term (come to think of it), but I'm pretty sure it means that I "get" people. I think it's pretty true. I mean, I studied Psych, and everyone who studies Psych "gets" people right? However, I don't always "get" people. In fact, sometimes people are downright incomprehensible.

The other day, I brought a laundry bag to school. No, I have not discovered free laundry machines in the basement of Old Chancellor (though that would be fun). I brought this (clean) bag to school to carry home a bunch of plastic trays and leftover supplies from last week's rocking coffee house (go Ami, go!). It had a shoulder strap and everything. It was pretty cool. In fact, this wasn't any old bag. This was a vintage, Purple and Proud, O-week '99 laundry bag from my days at the University of Western Ontario. I hear they go on e-bay for 78 dollars a pop.

So there I was. It was last Monday at around 4 pm. Feeling badly that I had allowed my laundry bag to overstay its welcome in the LSA office, I opted to pick it up before they closed up for the day. So I picked it up but, alas, the round trays had not miraculously decreased in diameter and still would not fit into my locker. No way, no how.

I stood at my locker for a brief moment unsure of my next move. I could either carry it with me to class for the next couple of hours, or I could leave it unguarded in the locker room. Using some of the knowledge I obtained in my Psych classes, as well as my faith in the goodness of human nature, I opted for the latter option. Apparently that was a foolish thing to do; upon my return to the locker room, I discovered that my laundry bag was nowhere to be seen. Nowhere!

Initially, I thought that maybe some kind (albeit misguided) soul moved it to a safer location. I mean, who in their right mind would steal a laundry bag (its coolness aside)? However, I have since learned that none of these safe locations have seen hide nor hair of this bag and its contents. I can only conclude that someone intentionally took the bag for their own personal reasons. Some might say that I got jacked.

This leads me to wonder what exactly was going on. There are really only a few possible options:

This person was a fetishist looking for someone's dirty linens;

The round shape of the trays induced the belief that the bag contained expensive gold rims for an 18 wheeler;

Apple, Toshiba, and Fujitsu are all now manufacturing laptop cases in the shape of laundry bags; *or*

Person X hasn't gotten over the fact that they didn't get in to Western.

Unfortunately, I was unable to provide Person X with the solace they sought, and for that, dear Person X, I sincerely apologise. I still have contacts at Western, maybe I can call in a few favours for you. Sadly, I don't have any access to some styling gold rims, but I would easily be able to provide you with some dirty linens. In fact, I will leave them in my locker just for you. I'll even go one better and leave you the combination on one condition: leave the lock! ■

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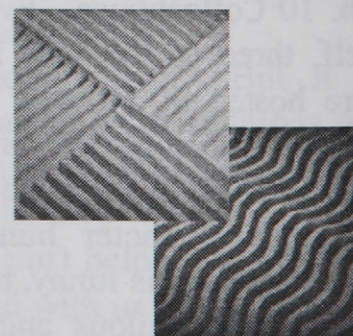
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Seeking Sanctuary

by Naomi Kikoler (Law II)

On February 2nd, Marcela Vega, age 21, took a breath of fresh air. It was the first time she had done so in over a year. For 567 days, Marcela and her parents lived confined to the interior of the St. Andrew's Norwood United Church in St. Laurent. Their bedroom was a converted conference room. Their shower was a small makeshift tub. Their motivation for living in such conditions? The reality that if they left the church, they would be deported and sent back to their home in Columbia where they faced persecution.

The Vegas came to Canada seeking protection. Marcela's father, a university professor and a labour and environmental activist, was an outspoken critic of the Colombian government. In an attempt to silence him he was kidnapped and tortured. Following his release the perpetrators continued to terrorize and threaten him and his family. Fearing for their safety, the Vegas fled Columbia in 2001 and filed for refugee status in Canada. Their plight is not unusual. Columbia is now the largest country of origin for refugee applicants in Canada as 3,631 Columbians sought refuge here last year.

According to Article 1 of the Geneva Convention, a refugee is: "*A person who is outside his/her country of nationality or habitual residence; has a well-founded fear of persecution because of his/her race, religion,*

nationality, membership in a particular social group or political opinion; and is unable or unwilling to avail himself/herself of the protection of that country, or to return there, for fear of persecution."

Today the world's over 17 million refugees are facing an increasingly hostile political, economic and social climate. This has fueled such things as the birth of new visa requirements, quota restrictions, the use of interdiction, safe third country agreements and safe country of origin policies - all meant to restrict refugee applications. According to the UN, in Canada alone, applications have decreased by 22 % since 2003. It is not because the world has suddenly become a better place that refugee applications in the west have decreased. It is because we have made it harder for refugees to get to our borders. When they do, they are left to navigate an often frustrating and bureaucratic nightmare that is the immigration system. Even countries that pride themselves on having a strong and progressive approach to refugee claims, such as Canada, have failed to implement an accessible and effective appeal's processes. As a result, individuals like the Vegas have fallen through the cracks. Their claim was rejected and deportation orders were filed. Faced with returning to Columbia and persecution or seeking help from the Church, the Vegas chose the latter and chose to resist.

On February 2nd, the Vegas left St. Andrews Norwood Church. In the face of much controversy over a number of immigration issues, the Canadian government extended a degree of goodwill towards some of those living in Sanctuary. After spending the first part of her 20's confined indoors, Marcela was, along with her parents, granted permission to apply on humanitarian grounds for landed immigrant status. With that concession, Marcela was finally allowed to go outside.

Refugee and immigration law is an essential aspect of the law and influences such things as Canada's foreign policy and economic and urban development. On a more fundamental level, refugee law is a crucial avenue through which the rights of millions can be protected. This is an area of the law that is of importance to Canadian society and is of interest to many students who would appreciate the opportunity to take a course on it here at McGill. As a result I am appealing to the Faculty of Law to consider seeking out a professor who has both the practical experience and theoretical understanding of the issue needed to teach such a course for the 2005-2006 year.

For more information about the sanctuary movement please see, www.sanctuarycoalition.org. ■

Submit to the last Quid of the year!

A look at what's going on at the faculty – part 2

by Neil Modi (Faculty Councilor)

Tsunami Relief Fundraising – The LSA and I have been trying to raise funds for Tsunami relief through Oxfam QC. There is a donation can at Pino's next to the cash register until the end of March. Please make any monetary donations you can for whatever amount you are comfortable donating. So far the donation cans have collected an embarrassingly small amount, so please act soon. At this point, I would like to thank Paul and Sam (the third year Class Presidents) for donating the proceeds from their Martini Party to Tsunami Relief. Thanks to all those in attendance for your donations.

Advertising in the Quid – Aram Ryu is a great editor and writer. I really appreciate the quality and content of the Quid. I have no problems with the editor of the Quid, but I do question some of the Quid's policies. I had sent ads relating to both Tsunami Relief fundraising and the Martini Party to the Quid for placement in one of its issues. The ads were not published. Apparently, the Quid had run out of space. I was informed that placement priority is given to ads that are paid for and well as to articles and written content. Apparently, and even to the dismay of the editor, ads are not considered content in the way that written articles are. To add to all this is the reality that the Quid costs about 400 dollars per week to put out. Connecting the dots, my ads weren't published and this screwed up my plans for promoting my fundraising campaign. Aram suggested that I use Notice Board and the Faculty bulletin boards instead of

relying on the Quid. As I was posting my flyers on bulletin boards around the Faculty, I noticed that law firm ads also seem to take precedence for space on that medium of communication. After moving numerous 11X17 law firm posters around, I managed to make enough room to squeeze in my flyers. What you think of law firms taking space on student bulletin boards? What is the difference between sending a message in the form of an advertisement versus sending the same message in the form of a written statement or article? When ads send a message to gain awareness for an important cause, why aren't they considered to be valuable content? Don't students also pay into the Quid?

Faculty Council – When I applied to McGill, I heard the rumors of professors and students fleeing to the University of Toronto, attracted by its high budget and resources. Although the rumor may have been just a rumor, McGill has taken notice. The Dean, members of the Faculty, and student representatives are happy that McGill has committed to providing the Faculty of Law with more money. By going into a deficit to fund us, the University has shown that it values the Faculty of Law and its academic and social endeavors. In addition to this source of funding, the Faculty is also trying to raise its own funds via an Endowment Campaign directed at alumni. With money coming in and hopefully more on the way, the question seems to have shifted from where can we get the money to how can we best spend it to further the aspirations of law students.

Moot Court – I still have an issue

with the Moot Court's suitability as a classroom. We need good classroom space conducive to learning. I hope that poor Professor Jukier didn't have to use the Moot Court blackboard in her lecture to new recruits on March 11. If she did, I hope someone on the welcome committee washed it for her beforehand. It may in fact be that the erasers need a washing rather than the board. Thankfully, Faculty members are aware of the situation and classroom space is an issue that has been playing out behind the scenes. With an increase in admissions, the issue may have to be brought to the forefront.

Exams Committee – As promised earlier this semester let me start by updating you on the pilot project for using laptops to write exams. The Faculty of Medicine had chosen to go with an external software provider to supply the software on which exams can be written. The Faculty of Law has chosen to plan for the long term by coordinating with the central administration. It makes sense that the Faculty of Law coordinate with the University so that we can take advantage of the resources and expertise the greater University community has to offer. The central administration is now trying to decide between using an external software provider or developing a home based solution.

Originally, the Examinations Committee thought about trying to get a pilot off the ground for the summer, but the Summer 2005 semester is already an experiment on its own. The Fall 2005 semester is a better fit. We are planning on selecting a few elective upper year courses for ▶

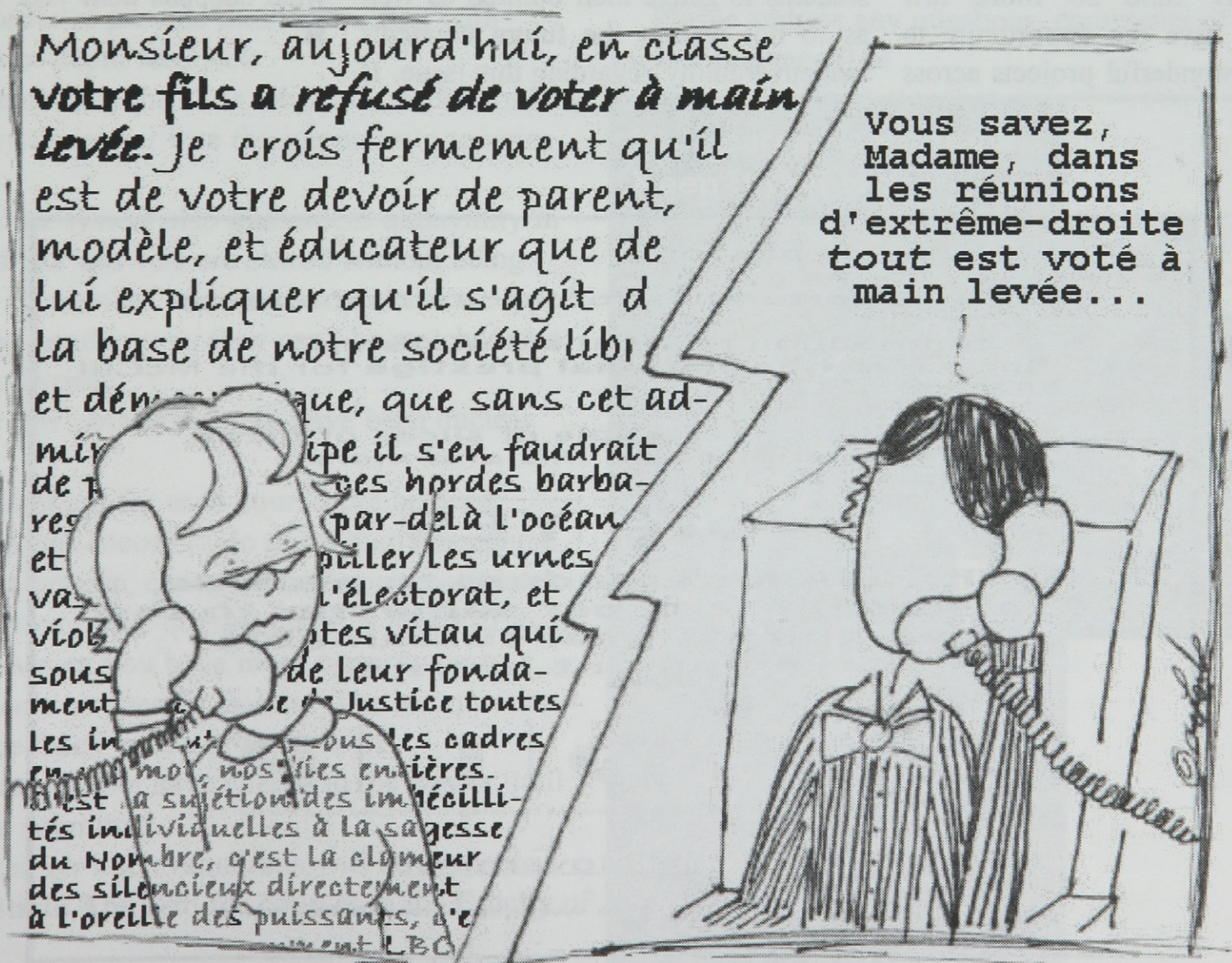
pilot. Hand in hand with the reality of the pilot, members of the Exams Committee are also doing a bit of wishing and dreaming - wouldn't it be great to have wireless internet access in classrooms so that we can access WEBCT materials and other relevant course materials during class? Or, would we just end up surfing the web? The Committee is also trying to create guidelines or tips for professors on using e-mail to draft exams and other assignments. We are also reviewing procedures related to take home exams including time concerns and holding students to

the honor system. Nevertheless, most of the Committee's attention is focused on the Fall 2005 laptop pilot project. Thanks - In case this is my last submission for this semester, I would like to send out my thanks to all students in the Faculty, Faculty members, and LSA members for a great year as a Faculty Councilor. It has been an honor to work with all of you and to learn from the amalgamation of your experiences. Thank you all for supporting me. As the year draws to an end, please do not

hesitate to contact me with any questions, comments, and remarks that you may have. If I cannot answer myself, I will try my best to direct you to the appropriate persons. Also, I have directed the million course pack questions I have informally received to LSA VP Academic Toby Moneit. Toby has been working on guidelines to be sent to professors about course packs and is aware of your concerns. Thanks Toby.■

Les Aventures du Capitaine Corporate America

par Laurence Bich-Carrière (Law I)



«Voter utile»

President's Perspective: Take a minute and VOTE YES in the LSA Referendums

by Michael Hazan (LSA President)

When law students go to the polls this week, you are not only going to decide next year's LSA Executive but you are also going to be faced with multiple referendum questions. These questions were developed because the LSA Council feels that they are necessary for the future improvement of services that we provide law students.

One referendum question addresses a potential LSA fee increase. After a decade of paying the same fee, if the LSA wants to have improved service, it is absolutely necessary to have the means to do it. Among the projects that the new funds will be earmarked include for an increase to the human rights bursary fund so more law students will have the opportunity to contribute to wonderful projects across

the globe. Secondly, the LSA wants to improve club funding and ensure that all clubs have the means to put on the conferences and events that benefit our community. Lastly, we also want to establish a general maintenance fund that will see the money go towards the purchase of new furniture for the Atrium as well as contribute to the "Launch the Lounge Project".

There is also a question regarding the issue I brought to the Law Faculty following Spring Break: that being our place within the SSMU. While negotiations with the SSMU have progressed, no new agreement has been signed as of yet. Therefore, the LSA Council wanted to bring the question to students to gauge their opinion as well as to not restrict the future council's maneuverability regarding this issue. If

negotiations are fruitful and an agreement is signed then the referendum will be moot but it is in the best interests of the Faculty to have some flexibility.

The last LSA initiated question is in reference to the LSA's constitution. We have already updated the by-laws this year and now would like to do the same with the constitution. These changes deal mostly with providing greater transparency for law students as well as establishing uniformity throughout the document.

I encourage you all to vote in this year's LSA election because the decisions you make now will affect what happens next year at the Faculty.



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Voice Your Opinion!

by Rittu Sehgal (Specifications Writer, McGill University)

This semester, the Faculty of Law is again using the online course evaluation system developed by McGill. Students may wonder why they are asked to complete course evaluations on their own time when previously they were conducted during class.

Course evaluations are one of the most important communication means for students to provide constructive feedback to their instructors. Course evaluation results are also used by the faculty when making decisions concerning tenure and promotions.

Advantages of the online system include:

" In class, normally 5-10 minutes are allotted to complete the evaluations, creating a time-pressured environment and forcing students to give on-the-spot responses. With the online system, evaluations can be completed at any time (24/7) during the 3-week evaluation period from any computer with internet access - in the privacy of their own homes or a computer lab.

" Students have the opportunity to reflect on their comments in order to provide their instructors with thoughtful and in-depth feedback

" If students miss the class when the evaluations are conducted, they no longer lose the opportunity to voice their opinion.

" The online system also guarantees anonymity in two ways: students' answers are stored without being linked to their ID number, and since comments are typed instead of being handwritten, they can't be matched to a student via handwriting.

To clarify a few points that may have been unclear from last term:

" The evaluation for each course can be done separately. You can choose to do more than one course during the same session, or log off and come back later.

" The content of the questionnaire is identical to the paper form; however, you have more opportunity to provide comments on specific points. The last question also asks for feedback on the process itself.

" Instructors do not have access to the results until final grades are submitted.

This semester, on-line evaluations will be available from March 18th to April 8th for courses in the Faculty of Law.

To access the evaluations:

1. Go to Minerva for students and log in.
2. A pop-up window will appear with a link to the on-line course evaluations OR click on the MOLE - McGill Online Evaluations link found under the Student Menu.
3. The evaluation for a single course must be completed in one sitting. The system cannot save responses because your ID number is not linked to your answers.
4. The ID number is stored only to record completion; this information is not accessible by instructors.
5. At the end of the regular course evaluation questions, there is an additional question asking for feedback about the experience. This is your chance to provide feedback and comments on the online system.

For more information on the MOLE project, please visit our website at:

<http://www.mcgill.ca/dp-cio/mole/>

Please address any questions, comments or concerns to mole.info@mcgill.ca.

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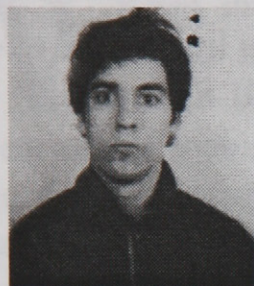
You can also contact:

Margaret Seko, Manager of Student Affairs
mseko@bereskinparr.com

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Elections

Candidates for LSA President



Andrés Drew

As President of the L.S.A, I will work with my colleagues on Council in organizing activities that will increase the presence of our Alumni at the Faculty. This effort will improve the bonds between students and enable us to benefit from an incredible network of graduates as we explore our diverse career paths.

I will work to improve the resources available for student academic and extra-curricular needs in two ways. Firstly, by further institutionalizing the Class Action Fund for Law, which is funding additional lecturers and improving course selection next year. And secondly, by increasing the Coffee House Firm deposit/contribution by transferring this money to the most pressing student needs. This is currently how the L.S.A funds the Human Rights Bursary.

En tant que membre de l'exécutif de l' A.E.D, je suis très fier de nos accomplissements cette année et j'espère bâtir sur ces derniers. Votez Andrés pour Président. Merci!

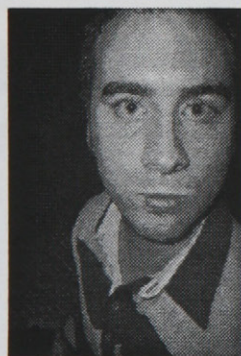


Eleasha Sabourin

In my three years at the Faculty I have come to gain some knowledge of the issues at the Faculty. I realize that the student voice within our Faculty is not always adequately understood. I am concerned with the representation of different groups, and would like to see an LSA which meets with student groups in order to understand their needs. I will make an active effort to seek out the opinions of law students and represent these to the administration and McGill community. I know when to be aggressive and when to compromise.

I have been involved in a range of activities, including intramural sports, the legal information clinic, student advocacy, LALSA, the Women's Caucus, and most recently was co-chair of Skit Nite. I would love to represent and further the needs of my classmates. I would greatly appreciate your support for my bid for LSA president.

Candidates for VP Administration



Caolan Moore

The word "administration" is derived from the Latin word "administatio" which means, "to rock out efficiently." I believe that I can bring a lot to the position of VP Administration. I am currently the speaker of the LSA council and in previous years I have worked with student unions as an orientation coordinator, a senator, a speaker and a VP External. As VP Admin, I will do my best to work with you and the LSA council to ensure that all is in order for your rocking-out needs--both social and academic (yes, you can rock out academically too...). Plus, I think it'd be fun.



Stephanie Colford

It's crucial the LSA keep in touch with us regularly and reliably. As VP Administration, my responsibilities would include various administrative tasks and ensuring communication with students through the law students' list-serve.

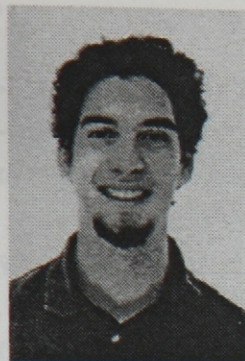
Andrea Hwang, our current VP Administration, did a great job creating greater transparency and accountability in the LSA by posting the minutes online this year.

Afin de promouvoir le bilinguisme dans la faculté tout en poursuivant les efforts déployés antérieurement pour améliorer la communication, j'aimerais vous offrir toutes les informations électroniques en français comme en anglais. De plus, je souhaite vous offrir une version française du site web en collaborant avec le Comité de traduction et le concepteur du site.

So why else vote Stephanie? I have several summers' work experience in reception and office administration. I'm enthusiastic, dedicated, and ready to work hard for you.

On March 24, elect Stephanie Colford as your VP Administration.

Candidates for VP Athletics



Miguel Bernal-Castillero

Durant toute cette dernière année, je me suis pleinement impliqué dans les activités athlétiques de notre faculté. As an organizer for the Malpractice Cup, I helped bring the trophy back to the faculty. En tant que membre du comité et de l'équipe des Jeux 'Ridiques, I got a chance to see the inner workings of the Games and what makes it a memorable time for all of us. Having organized the Alumni Hockey game, participated in the softball and soccer games against pro's and firms, respectively, and played intramurals sports, I know what it takes to get people together and use sports to build a stronger community in the Faculty.

L'expérience est là. So are the ideas: Golf, Squash, Foosball tournaments, Ski trip...and anything else you wanna see done I'll be there to organize it for and with you. For a fun, organized and experienced VP Athletics, vote for Miguel!



Kara Morris

As VP-Athletics I want to take sports in the faculty to the next level. Leading athletics on the LSA, I will ensure better organization of intramural teams to guarantee registration in sports leagues that fill up fast, eliminating disappointment of being denied a spot. Encore plus d'équipes permettront plus d'échanges et les interconnexions entre les années. I will collaborate with Med students to put on another fabulous Malpractice Cup, with opportunities for everyone to participate, from sports to trivia to the after-games celebration. Law Games will continue McGill's dominance in academics and improve performance in athletics - starting with coordinated sports leadership to avoid defaulting any games. From experience at Law Games, intramurals, and the organization of the Malpractice Cup, I understand the challenges faced as VP-Athletics. J'ai confiance que je vous fournirai la meilleure expérience sportive que possible. Take athletics to the next level, vote Kara Morris, VP-Athletics!

Candidates for VP Public Relations

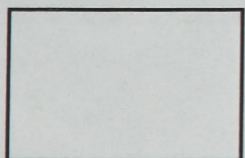


Sam Carsley

The LSA Vice-President Public Relations has the easiest job in the Faculty: selling McGill Law and its students to the world. I know how talented you all are. I know what you have to offer. You deserve to have everyone know.

I consider myself a consummate promoter. I have a wealth of experience in sales and marketing and have done everything from selling on the street to organizing national marketing campaigns. I know how to sell a product and spread a message. I would continue the great work of my predecessors in drawing support to the Faculty and ensure that it receives the backing it deserves.

Most importantly, I love this kind of work. Talking to people, getting to know them, and putting a message across give me immense satisfaction. Laissez-moi vous représenter; vous ne serez pas déçu!



Joseph Hillier

[no statement submitted]

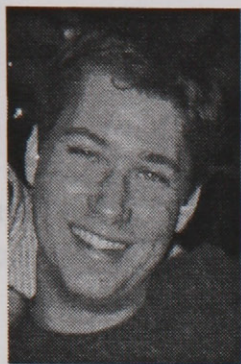
Acclaimed LSA Council Positions



Neil Modi - VP Academic

The VP Academic works to realize your academic interests in cooperation with the Curriculum Committee, the Associate Dean Academic, various other committees and Deans, Faculty Council, and the LSA. As your Faculty Councilor over the past year, I have gained first-hand knowledge of the issues that concern you the most, including course packs, grading, course offerings and registration, student course evaluations, majors, internships, exchanges, bar school reforms, etc. J'ai déjà eu la chance de représenter vos intérêts dans une variété de sujets, incluant writing exams on laptops, examinations procedures, course packs, and Moot Court and Faculty maintenance matters. En tant que votre VP Académique, je veux m'assurer que les étudiants continuent d'être bien informés et continuent à avoir une voix. I fully accept and welcome the energy, dedication, patience, and criticism that the work entails. J'espère sincèrement avoir l'opportunité de vous représenter comme VP Académique.

Acclaimed LSA Council Positions (continued)



Hans Black - VP Clubs and Services

I am asking for your vote for VP Clubs and Services and student government generally because I believe I can provide strong management. 'Clubs and Services' est un dossier important qui ne supporte pas uniquement les organisations étudiantes mais est aussi un bon intermédiaire pour promouvoir des sujets tels l'équité et la diversité au sein de la Faculté. Furthermore, with the funding from SSMU traditionally counted upon to support our clubs still in question, the responsibility of working together with student groups to come up with new solutions will be very important. Durant la dernière année, j'ai travaillé avec beaucoup d'entre vous dans le cadre d'activités parascolaires. J'ai donc été en mesure d'apprécier le dynamisme requis et les intérêts à satisfaire. The LSA is ultimately a team effort and I will work hard to make sure next year's student government is the best ever. So please vote for Hans Black.



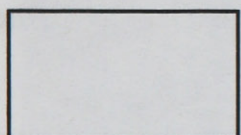
Martin Doe - VP External

Student strikes, Bar school reform, funding issues, and support for our LSA clubs are external issues that we have dealt with this year. Comme membre du Conseil Académique de notre faculté, j'ai pris connaissance des dossiers qui nous affecte. As a former SSMU President, I already have experience dealing with the SSMU, as well as other student organizations, the central University Administration, and the various levels of government. Le Vice-Président Externe doit s'assurer que les étudiants profitent des situations où on peut travailler ensemble avec des autres organisations qui nous affecte. One such situation regards increasing alumni contributions - something the University, Faculty, and students can and should collaborate on. However, in other cases, I am not afraid to fight to get what law students deserve. In order to ensure that our needs and desires are addressed, we need effective representation. On est bilingue, mais on ne devrait pas être passif!



Melissa Pang - VP Finance

My interest in serving as VP Finance stems from a desire to get motivated in the LSA and to share my budgeting and administration experience. During my undergraduate degree, I served as a director of the Peer Help Centre, where I oversaw a budget of over \$50,000, allocated throughout services, student initiatives and volunteers. I look forward to offering this experience to our faculty and would feel privileged to represent your interests. If you ever have any questions, concerns or doubts, do not hesitate to contact me or stop me in the halls. Thanks!



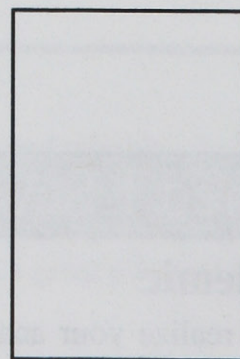
Natalie Tabar - VP Internal

[no statement submitted]

Third Year Class Presidents (2)

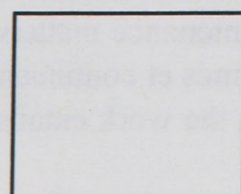


Marie-Claude Marcil
(Acclaimed)



Melissa Robins
(Acclaimed)

Fourth Year Class Presidents (2)



Samuel Moss
(Acclaimed)

Second Year Class Presidents (2)



Vic Arora

En tant qu'étudiants en Droit, nous sommes constamment bombardés d'informations variées, dont certaines sont plus pertinentes que d'autres. Un des rôles de nos président(e)s de classe est de mettre en valeur l'information et les causes qui nous concernent le plus, dans le but de donner une voix aux étudiants. I aim to keep the student body informed of all relevant issues via periodic articles in the Quid Novi and Notice Board postings. I have extensive experience in student politics and representation as both a faculty representative and VP Academic during my undergraduate degree. Je m'assurerai également de répondre à toute question que vous aurez ou de vous diriger vers les personnes qui pourront vous informer. I trust that you will vote for me on the 23rd and 24th as someone you can rely on to ensure that your voice is heard and you are well represented.



Anna Haliotis

Hey first-years!

Well, the year is almost over and we've been through a lot together: from orientation week to exams, from law games to 'the wall', from study sessions to skit night, and everything in between. It has definitely been a learning experience!

I think our class is a great group and I would be honored to represent you as class president. Next year we will have more choice in determining our own schedules and our own respective paths. If I get elected I'll work to keep our class spirit strong through group events like parties and day activities. I'll also keep you informed on the issues and areas that matter to you by organizing career panels and informational sessions. I'll be accessible, and encourage everyone to approach me with suggestions...after all; I'll be working for you!

Good luck on exams, and remember to vote for ANNA BANANA! :)



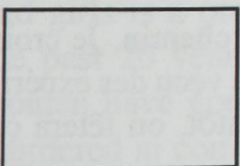
Adrian Lomaga

Frank. Reliable. Motivated. If you want things done quickly and efficiently, I'm your man. No BS and no excuses. My primary goal is to represent your thoughts and concerns. Already, I have taken steps with Dean Kasirer to develop new courses within the Faculty. This is an initial response to address the lack of registration spots and a better alternative to increasing course caps. Course packs must also be cheaper, shorter, and manageable. Vote for me and I will deliver. Ce serait un plaisir de vous servir.



Laurie McQueen

Approachable, patient and friendly, as Class President you can count on me to be available-I am always around the faculty during the day, just ask anyone that knows me-to listen to what you have to say and to actively represent your issues, concerns and ideas so that things happen the way you want them to. I have never been involved in politics but I have extensive business experience and love to sniff out problems to solve. I am motivated to be Class President simply by the desire to get involved and use my networking and negotiation skills to your advantage. Vote for an even older President than Dave Tortell (love ya Dave)!



Raphael Roditi

[no statement submitted]

VOTE YES/VOTEZ OUI
L.S.A/A.E.D Base FEE Referendum

L'argent aidera:

- All LSA Clubs Funding
- All special initiatives and event Funding
- New couches in the Atrium
- Renovating the Basement Student Lounge

Valedictorian (1)



Sam Adkins

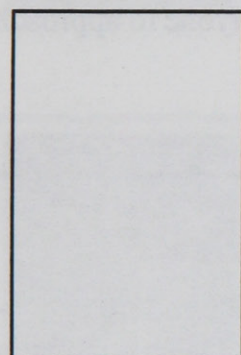
Hello, I am a third-year student running for Valedictorian of the Class of 2005. Over the course of my time at McGill Law, I have been actively involved in various aspects of faculty life including the Legal Information Clinic, Skit Nite, orientation as well as a number of intramural sports. While my involvement in the law faculty has been very rewarding, my interest in being Valedictorian is much more directly related to the people that I have met in my time here than to accomplishments as part of a club or committee. My law school experience was defined by the people in this faculty and I would enjoy the opportunity to capture this feature of McGill Law in my address to the graduating class. I would be honoured and appreciative of your support for me as Valedictorian of the Class of 2005.



Sarah Huggins

Legend now has it that I make a darn good summary, so who better to try and summarize what all of us have accomplished and experienced in our 3, 3.5 and 4 years at the Faculty. J'ai eu le privilège de faire partie d'un groupe si divers, inspirant et intelligent d'étudiants de droit, et je serais très honorée que vous me choisissiez pour marquer la fin de nos années ensemble.

My urge to reflect on our unique McGill experience, and to acknowledge those who made it possible, is genuine. I believe I could bring to the valedictorian position all the thoughtfulness, inspiration and humour that is required. Merci de votre encouragement, et bonne chance à tous pour la fin du semestre.



Toby Moneit

[no statement submitted]



Pierre-Olivier Savoie

Ce serait un grand honneur pour moi d'être choisi par mes pairs comme l'"élève qui prononce le discours d'adieu", l'expression que nous offre l'Office de la langue française pour l'intraduisible "valedictorian".

In almost four years at the faculty, besides from attending classes and coffeehouse, I have tried to be active in the school's everyday social and intellectual life. I was a member of the ad hoc committee on faculty funding (2002-2003); LSA VP external (2003-2004); participated in the Shakespeare Moot (2003) and the Concours de droit international Charles-Rousseau (2004); TA in Legal Meth and TL in Foundations (2003-2004); and executive editor of the Revue québécoise de droit international (2002-2004). I'm currently finishing an honours thesis on Harry Potter and the law, and will be heading for New York in September to work at White & Case LLP.

N'oubliez pas d'aller voter et bonne fin de session!



Pascal Zamprelli

Alors, ça fait déjà 4 ans? Ça me semble presque impossible, mais nous voilà rendus au bout du chemin. Je crois même que plusieurs seraient d'accord que c'est à peu près temps! Il faut admettre toutefois que l'on a vécu des expériences inoubliables, et qu'aujourd'hui on se retrouve parmi des amis que nous aurons à vie. Bientôt, on fêtera ça ensemble.

Should I be chosen as valedictorian, it is an honour I would not take lightly. For all the pomp and circumstance, grad is one of those events that will no doubt be forged in our collective memory. My intention would be to contribute in a meaningful way to the day we've all been waiting for, to offer a few reflections from our perspective. This is, after all, our day of celebration. And if there's one thing I know how to do well, it's celebrate!

Thank you for your consideration.

Voices of Aboriginal Women Resonate at International Women's Rights Conference

by Natasha Himer (Law III)

I am coming fresh off two weeks in New York - two weeks participating in the 49th session of the United Nations Commission on the Status of Women. This year's session also marked the 10th anniversary of the Beijing Declaration and Platform for Action and therefore a review of the Beijing Platform for Action.

In the few days that I have been back in Montreal, I have been thinking about how best to share my experience with you. I am still thinking. In fact I will keep thinking about how I can relate what I learned back to you. And if sharing is a process, then this will happen gradually and it may take different forms.

Now, in this moment, I want to talk about LISTENING, VIOLENCE, INDIFFERENCE and AWARENESS.

LISTENING

On Thursday March 3rd, 2005, at 11:30 am we came to hear a presentation about the Sisters in Spirit Campaign. Although I had heard about it before, this was the first time I listened to the story of violence against Aboriginal women and girls in Canada. Now that I have begun to listen to the voices of Aboriginal women in Canada - I cannot stop. Their voices have depth, they are powerful and they resonate.

VIOLENCE

Violence against Aboriginal women and girls is a problem in Canada. Over the past 20 years, some 500 Aboriginal women have gone missing or have been murdered in communities across Canada. Aboriginal women and girls face a heightened risk of violence. A shocking 1996 Canadian government statistic reveals that Indigenous women between the ages of 25 and 44, with status under the Indian Act, were five times more likely than other women of the same age to die as the result of violence.¹ While

there is clear evidence that Aboriginal women face an extraordinary high risk of violence there is no comprehensive picture because of gaps in police records, investigation methods and information sharing. Nevertheless, both the NWAC and AI believe that there is a pattern of violent assaults, murders and disappearances of Aboriginal women across Canada. In a report documenting the situation, Amnesty International identifies various factors as contributing to the increased risk of violence against Aboriginal women in Canada. These include: the social and economic marginalization of Aboriginal women, a history of government policies that have torn apart Indigenous families and communities, the failure of police to provide an adequate standard of protection, systemic sexism and racism, and societal indifference to the welfare and safety of Aboriginal women.²

The case studies included in Amnesty's report were selected because they represent a variety of factors that appear to put Aboriginal women at heightened risk. While the root causes of violence and discrimination are often complex and interconnected, it is quite clear that in some cases Aboriginal women are either attacked by individuals or inadequately protected by authorities expressly because of their gender and race.

On 12 November, 1971, Helen Betty Osborne, a 19 year-old Cree student from Manitoba, was abducted by four white men in The Pas and then sexually assaulted and brutally killed. A provincial inquiry found that police had long been aware of white men sexually preying on Aboriginal women and girls in The Pas but "did not feel that the practice necessitated any particular vigilance."³

In two separate instances in 1994, 15-year old Aboriginal girls, Roxanna Thiara

and Alishia Germaine, were found murdered in Prince George in eastern British Columbia. The body of a third 15-year-old Aboriginal girl, Ramona Wilson, who disappeared that same year, was found in Smithers in central British Columbia in April 1995. Only in 2002, after the disappearance of a 26-year-old non-Aboriginal woman, Nicola Hoar, while hitchhiking along a road that connects Prince George and Smithers, did media attention focus on the unsolved murders and disappearances along what has been dubbed the "highway of tears."⁴

INDIFFERENCE

What the case studies also demonstrate is indifference to the safety and security of Aboriginal women in Canada - indifference on the part of Canadian authorities and Canadian society. Canadian authorities are not doing enough to protect Aboriginal women in Canada. But native women's organizations across Canada continue to speak out against what they feel is an epidemic of violence against women and children in their communities. In March 2004, the Native Women's Association of Canada launched a one year campaign to lobby the federal government to establish a \$10 million fund for research and education related to violence against Aboriginal women. Amnesty International's report was released in October 2004 and was presented to the Canadian government, to remind the government of its obligation to take action on the issue. There has been some indication of support from the federal government and parliamentarians for the Sisters in Spirit Fund. Nonetheless, funds have not been forthcoming and past recommendations and inquiries have not been implemented. Stalling - avoiding - ignoring - indifference - disrespect.

Together the NWAC and AI have

urged the Canadian government to live up to its commitments and to its international legal obligation to prevent human rights violations. Women have the right to be safe and free from violence. Aboriginal women have the right to be safe and free from violence - "When aboriginal women are targeted for racist, sexist attacks by private individuals and are not assured the necessary level of protection in the face of that violence, a range of their fundamental human rights are at stake. This includes the right to life, the right to be protected against torture and ill treatment, and the right to security of the person, and the right to both sexual and racial equality. Canada has ratified all of the key human rights treaties that guarantee these fundamental rights."⁵

AWARENESS

As I sat in my chair, on the 11th floor, I listened to Beverly and Katie. The stories affected me - how is it that some individuals in society remain invisible, how is it that some lives are disposable. We need to open our eyes, we need to look into our communities and we need to SEE people. One woman asked what non-aboriginal women could do. Beverly responded - you, non-aboriginal women, have a responsibility to educate your own people - Canada is still a society that is not fully aware of aboriginal people - and education is where we need to start. She asked that we educate ourselves, that we educate each other. Be aware. Ask questions.

And so I ask you to think about the comments and question put forth by Denise Cook, of the Pimicikamak Cree

Nation: I think it is unacceptable for our sisters and relatives to be put in any harmful situation because it means our sacred lives are not honoured. It affects our community, the way we feel about who we are. It is devastating to know that this can happen and that this is happening, and it is unjust to our women ... The question is why there is no support in mainstream society for providing justice for these women.

1 Aboriginal Women: A Demographic, Social and Economic Profile, Indian and Northern Affairs, Canada, Summer 1996.

2. Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada, 4 October 2004.

3. Stolen Sisters

4. Stolen Sisters

5. Stolen Sisters, p. 5

Just Put Your Lips Together and Blow

by Mariam S. Pal (Law III)

So let's suppose a few years have gone by. You're a member of the bar and you decide to leave corporate life and head down the 417 to become a civil servant. You figure it's going to be an easier and more predictable life working as a lawyer for the Government of Canada. You get a job in one of the big ministries and start to uncover a lot of wastage of funds. Not another sponsorship scandal, no, not that, just sheer waste. Buildings that the Government of Canada owns that are laying vacant, houses and apartments that are not being used. That kind of stuff. Not particularly juicy but considering that the millions of dollars of taxpayers' money that went to purchase this real estate is not exactly being put to good use, it's not a situation that you feel in good conscience should continue. Being a lawyer, you've also ascertained that these practices are in direct violation of Government guidelines. You're pretty sure of your facts because not only do you have all of these wasteful practices documented, you have also seen them

firsthand because the government sent you to take a look at all this real estate. But to your great surprise, once you start to write factual memos helpfully suggesting that some action should be taken, instead of being treated like the heroine you think you probably are, you end up being treated like the departmental snitch. You bring this issue higher and higher up the chain of command but nobody listens. Your career starts to suffer and eventually you go on sick leave. You didn't really know it at the time but what you did was to blow the whistle.

Whistleblowing is one of those topics that's in the news a lot. More than a year ago when the events of the sponsorship scandal began to unfold, it became clear that a lot of people in the Government of Canada knew what was going on with that advertising money but nobody wanted to come forward because they were afraid of the reprisals they might face. There was one lonely guy in the Department of Public Works who did try

to bring some of this misconduct to the attention of his superiors in 1996. For his trouble he was demoted and the people who were approving all those advertising contracts were promoted. Last year his report surfaced again and a new group of managers ostracized him but this time he was tough and hung on until he could get a satisfactory retirement package. In the meantime, one of his colleagues who had been publicly reprimanded for unethical behaviour has now been promoted to be the manager in charge of ethical issues for the Department of Public Works. Go figure.

The stories I describe above are true. I'm working on a term essay on whistleblowing and let me tell you it's a fascinating subject. I met the two people whose stories I've paraphrased. Whistleblowers tell a sad tale of an absence of legal protection that stops misconduct and wrongdoing in the federal government from becoming public. Moreover, in the absence of laws, whistleblowers do not have any

protection from reprisals and face a lack of access to justice. Reprisals include demotion, flooding a person with work one week and leaving them idle the next, harassment etc. You get the picture. Some whistleblowers get a lawyer through their union but most do not. So on top of everything else they rack up huge legal bills trying to get justice.

Countries like the United States, England, Australia, and New Zealand all have whistleblower protection laws. They vary in their approaches but most observers agree that the best protection is in the United States. Whistleblower laws were introduced in the United States for public-sector employees following the disastrous crash of the space shuttle in 1986. Canada has no such protection. Several years ago a Canadian senator

tried to introduce legislation but it did not go anywhere. A couple of months after the sponsorship storm broke last year, legislation was introduced but it died on the order paper when the election was called in June of 2004. Last fall new legislation was introduced and it's now at the committee stage. I'm happy to report that after some pressure the committee finally called some real whistleblowers, most of whose careers had suffered greatly, to testify before the committee. Not a single one of them said that the bill provided them with the kind of protection that would have helped them when they blew the whistle.

Every year, the Government of Canada properly spends billions of dollars. Within this context, the \$200 million involved in the sponsorship

scandal is relatively minor. Yet the whistleblowers I have spoken to all tell me that there is much more misconduct and misappropriation of funds, not to mention sheer waste out there but that nobody wants to stick their neck out and report it for fear of reprisals. Meanwhile, just look at those potholes! I'm no Tory but all this really makes me wonder.

So the question is, is the sponsorship scandal enough of an impetus to motivate our legislators to provide legal protection for whistleblowers? Or are we still waiting for the big one, a scandal where lives are actually lost. It remains to be seen whether we will have a law or not. In the meantime, you know how to whistle don't you? Just put your lips together and blow. ■

The real cost of education

by Prof. William Tetley

Perhaps students, who are complaining about the cost of education and their lot in life generally, should read the Email I received on my website guestbook from a doctoral student at the University of Baghdad. Nearly four weeks before he had written for assistance with his thesis and I had immediately offered to help him but it took him four weeks to respond to my offer. He wrote:

Thank you Too much for your attention, I am Sorry for your waiting because of the difficulties in my country IRAQ to arrive in Internet Centre.

I would like to inform you that the Subject of my thesis is (maritime liens in the conflict of laws) as a study in private international law, and this choosing is final. I wonder if you please help me with your book (maritime liens and claims, 2 ed, 1998).

I hope I was not disturbing you and let me know your answer. My postal address is:....

With my high regards,

Yours Faithfully,

I sent him off books and will try to supervise his thesis. Perhaps students (and also professors) should stop the belly-aching. ■

The Simple Life or The Real World?

by Jarom Britton (Law II)

There was a movie in the '80s - "Moon Over Parador." In this movie, Richard Dreyfuss plays a banana republic dictator who likes to pretend he lives in a democracy. Every four years the citizens vote on whether they want him to wear blue or red at public appearances. He argued that this was public input, citizen participation, democracy. Except that the people didn't have any real power over how they received justice.

But the movie was make-believe and not a reflection of real life. In real life, countries that have elections are more democratic and the citizens have more power, right? What about Hussein's Iraq? Just before the US invaded, he had a referendum on his presidency. So how was it that the people were oppressed and had no justice if they could vote? Well, if I had the choice between Saddam Hussein and prison, I know what I'd choose.

But what about Canada? Canada's a true democracy, right? Your vote counts. Politicians listen to what ordinary Canadians want. If they don't we can vote them out, can't we?

I read an article discussing why the Americans never simply hired an assassin to kill Saddam Hussein and solve the problem without war. They were worried that if they took that route, whoever would replace him would not be any improvement. Here's a question: if we vote out the current government in Canada, would the government that replaces it be any different?

I don't say this to be cynical. Is it not possible, or even likely, that politics in a "liberal democracy" simply attract the same type of people regardless of their ideology? Paul Martin, Peter MacKay and Stephen Harper all grew up with politician parents. Jean Chretien, Brian Mulroney and Lucien Bouchard went to the same law school. If that's not spooky enough, every single prime minister of Canada in the twentieth century with the exception of Pearson was a lawyer (well

okay, Joe Clark dropped out of law school but was he a real prime minister?).

But the similarities don't stop there. They are all from well-to-do families (i.e. they didn't grow up in an impoverished northern community and probably never milked a cow at 5 a.m.) and spent a greater portion of their lives in the cities. Only three prime ministers in recent memory (i.e. post-Pearson) were from the West, and they all came from urban ridings and were voted out after a few months.

So what does this tell us? If you wanna have power and make the laws, you'd better come from old money, get a law degree, and hail from a big city east of Dryden.

For all their talk of being tolerant and accepting of other people, folks who spend most of their life growing up in Canada's urban centres tend to be pretty arrogant. They talk of people in rural areas as if they were a bunch of redneck simpletons.

Take the Fox network. Ah, that great bastion of North American social values that is the Fox network! Last year, an estimated 10% of North Americans were glued to their television sets to watch as two pretty heiresses experienced for the first time "The Simple Life" on an Arkansas farm. And isn't that the way urbanites think of rural life and rural people? Simple? Unsophisticated?

And how could a bunch of simple, unsophisticated rural people administer something as complex and sophisticated as justice? Justice requires lawyers, and courts, and Parliament, and judges. To administer a legal system you have to be educated, right? It takes years of study and training in writing facta and analyzing past judgments and honing your advocacy skills. Justice is something much too complex to be administered by a bunch of unschooled country hicks. The Incas couldn't have had justice in their society; they had no universities. No wonder they're extinct!

The world is increasingly complex, you say. More and more we are becoming interconnected and legal systems are running into each other. Well I've got some news for you ...

Montreal has more in common with Toronto, New York, London, and Sydney than it does with Trois-Rivières, Chicoutimi, Gaspé, or Témiscamingue. Urban centres are becoming increasingly interconnected across the world.

But the global village is a myth!

It does not exist for inhabitants of rural areas. For people from urban environments who seem to dominate our country's law schools, this isn't very apparent. In the urban, middle-to-upper class mindset, the other side of the world might just as well be down the street. But for Joe Canadian in Flin Flon who makes his living installing electrical conduit, Tokyo might as well be on Pluto.

What it comes down to is this: there are two types of people in the world - those who will take an airplane, and those who will never take an airplane. Every day, thousands of planes fly tens of thousands of people miles over the heads of hundreds of thousands of other people to exotic destinations around the globe. The vast majority of these tens of thousands of people are city-folk flying far out of reach of the hundreds of thousands of others.

Lawmakers are of the jet-set variety. Not only that, many of the important, powerful ones are of the first-class jet-set variety.

Now that's pretty disgusting isn't it? First class. Not only do you want to fly so far over the rural communities that they can't reach you and you can't really see them, but for the odd simpleton that does manage to take a once in a lifetime vacation to someplace "interesting" you need to have your own Air Canada or Star Alliance lounge and sit at the front of the

plane with a curtain drawn so you never even have to cross their path while you travel. Out of sight and out of mind.

But you still want to govern them. The benevolent dictator.

Oh, they say the right words. "Don't forget the native peoples. After all, we are the big bad colonizers." Yeah, let's beat ourselves over the head with that one for a while longer, why not? I'll tell you why not. I didn't do it. My family didn't do it. At the time the English and French were squabbling over the Ohio River, my family was living it up under its own oppression in Sweden and Ukraine. At Confederation, they were still over there. I met my immigrant ancestors. That's a bit recent to be blaming me for the tyranny that led to the Red River Rebellion.

Okay, but my white culture still oppresses the native peoples. So where are these oppressed native people that I've been oppressing? I grew up in a rural community that is somewhere between 40 and 60 per cent native. And I didn't see much in the way of oppression of native peoples there. They are on the town council, they are the business leaders, they are the richest people in town, they are my cousins. And you know what? We all get along.

We're so remote from Ottawa and Victoria that the influence they have on our finding justice is relatively minor. Okay, we pay our car insurance to Victoria and they give us ferry service so I guess we have some connection with them. Ottawa - well who knows what Ottawa does for us? The last time we had an MP who was a member of the government was - umm - I don't remember. The last time we had an MP who was a member of Cabinet? Well that's never happened.

Just about the only time we run into the formal "justice" system is when we do something that the legal system (developed by outsiders) defines as "criminal." Couldn't we have done better by establishing our own system that corresponds more precisely to our own needs?

Quebec got to.

Isn't it true that urbanites are way too ignorant of rural life to justly legislate there in the same way that rural people don't understand the "complexities" of an urban environment to do the same in the city? Just because they feel they should subscribe to a left wing, pro-minority, special-interest ideology doesn't mean urban activists are necessarily informed on the issues they espouse. In many cases, they are simply paying lip service without understanding the context of what they are talking about.

Now sometimes it's obvious. But in many cases, the problems have been going on for so long and developed such a complex history and interdependence that to simply state that one side is "right" is grossly inaccurate.

Whether or not you agree with it, our legal system is largely based on business. A familiar maxim is that the first rule of business is stability. A universal, predictable legal system is seen as key to this desired stability. As many laws are made to smooth business relations, and as most business takes place in urban centres, it follows that many of the laws will be made in an urban setting based on the culture of a city.

Why impose this system on rural citizens?

The cities don't have the same value system as rural Canada. This year, it looks like Parliament is going to legalize marriages of same-sex couples. Polls indicate that this is the legal system simply catching up to the dominant values of a progressive democracy. This is what Canadian society wants, they say.

What a load of bull!

Media moguls, justice ministers, and social activists are all missing something big here. They're all in the cities. Sure the polls are randomly conducted across the country but I've got a bit of a shocker for you ... most people live in cities!

Urban society is changing. But, if law wants to maintain a just society shouldn't it be sensitive to what the local community thinks instead of imposing values from halfway across the country? Montreal may be for the most part approving of same-sex marriages. This is appropriate for the culture of Montreal. But try your poll in the Mormon towns that make up basically every point in Alberta south of Calgary. What do they think about this whole thing in Lethbridge? Gay marriage will be enforced just as much there as it is in the Village in Montreal. But do inhabitants of Cardston really care what happens on Ste-Catherine's Street? Does the fact that it is the right thing to do in Toronto make it any less unnatural in Taber?

Imposing an urban-developed legal system in a rural environment is imposing a system foreign to the environment regardless of its source and regardless of the ethnic background of the rural inhabitants. Coming along after the fact and imposing a system of law on people that have carved out a co-operative niche will not result in justice if that system of laws is developed in a context foreign to the context in which it is applied.

Simply improving access to a legal system that does not respond to the values of the society in which it is applied will not improve access to justice.

If politicians, lawyers, and judges are all coming from the same stock and that stock doesn't accurately represent the demographics and varied cultures in the country, how is it that justice can be adequately distributed to people not from these backgrounds? If the system isn't structured to entice people from rural backgrounds to join then things won't get more just for them. Sure the lawmakers and legal professionals can be encouraged to take ethnic and cultural background of the parties into consideration, but if they don't understand that background, how can they apply the norms of the society in which the parties operate?

- To be continued next week-

Referendum Questions

INTERNATIONAL JOURNAL OF SUSTAINABLE DEVELOPMENT LAW & POLICY

WHEREAS a new student-run journal, the International Journal of Sustainable Development Law & Policy ("JSDLP") has been created at the Faculty of Law;

WHEREAS the JSDLP, as a student-run journal, needs the students' support in furthering McGill's contribution to legal scholarship and enhancing the student-run journal experience;

Do you agree to a \$5 per semester increase to your student fees, indexed to inflation, to fund the JSDLP?

CONSTITUTIONAL AMENDMENTS

WHEREAS the LSA Council has reviewed the LSA constitution, and has recommended changes to reflect the reality of the LSA;

WHEREAS any change to the LSA constitution must be placed before the members of the LSA in a referendum;

Do you agree to amend the LSA constitution in accordance with the LSA Council's proposed changes*, effective May 1, 2005?

NEGOTIATION ON SSMU MEMBERSHIP

WHEREAS law students may soon pay \$63.36 per semester to the Student Society of McGill University ("SSMU") and receive no monetary contribution for clubs and services in return;

WHEREAS the LSA believes that it better understands the interests and needs of law students and believes that it can better distribute funds to match the needs and wants of law students at a lower cost to them than the SSMU currently does;

Do you agree to grant the LSA the mandate to negotiate with the SSMU for the payment of lower ancillary fees, or in the alternative, for the withdrawal of the LSA's membership from the SSMU through the appropriate referendum process or by negotiation?

RAISING THE LSA ANCILLARY FEE

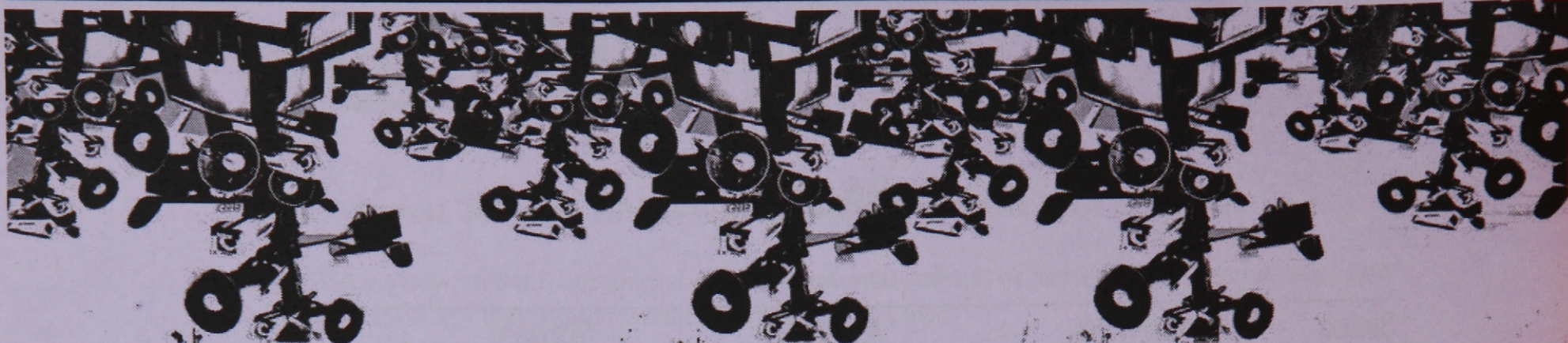
WHEREAS law students presently pay \$12.50 per semester to the LSA and receive funding for the Quid Novi, clubs and services, events, and other operational activities in return;

WHEREAS student fees have generally increased due to inflation and demands;

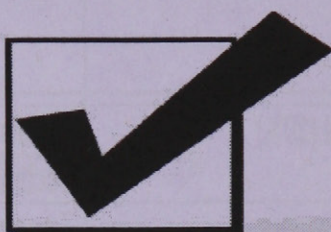
Do you agree to an increase of LSA ancillary fees from \$12.50 to \$25, indexed to consumer price index?

Constitutional Amendments

Section	Original Words	Amendment	Motivation
Defined Terms	Canadian Association of Law Students	Repealed	It means the Canadian law student association
Part II, 3.0 Part III, 5.0 Part III, 6.6 Part IV, 7.3	LSA Council	Board of Directors	Name change
Part II, 6.1	One tenth (1/10)	Ten percent (10%)	Consistency throughout the document
Part V, 11.0, 11.1 Part VIII, 22.3 Part XIV, 39 Part XVI 46.2 Part XVI 46.3 Part XVII, 47	Board	Board of Directors	To specify the Board of Directors
Part V, 11.2	Added	Of the new Board and the beginning of their term of office. At the Joint Meeting, the retiring Executive members shall present their year-end reports	To promote continuity between departing and incoming executives
Part V, 11.3	Are	Will be	Consistency throughout the document
Part V, 11.3	three (3) meetings of the Board shall forfeit their positions if reasons for such absences are not offered by the members in question and accepted by a majority of the Board at the next meeting of the Board	A meeting of the Board of Directors shall give advance notice to the Vice-President Administration, except in circumstances where this is not possible	To get rid of the forfeiture clause
Part V, 11.5	To September 1 st	Until the first meeting of the Board of Directors	To give appropriate powers to the executive until Board members are elected because elections take place after September 1 st
Part V, 12	Ten (10) days notice must be given to the Board of Directors and the general membership before any constitutional or	Repealed	The 10-day notice for by-laws will be removed; the notice for constitutional changes is partly



VOTE



NO

**TO THE *CONSTITUTIONAL*
*AMENDMENTS***

THIS WEDNESDAY & THURSDAY

**DON'T LET THEM CHANGE
YOUR BY-LAWS WITHOUT
NOTIFICATION**

THE NO COMMITTEE FOR A RESPONSIBLE LSA